

Interview Summary

Application No.

10/666,707

Applicant(s)

DE LA TORRE ET AL.

Examiner

Michael B. Priddy

Art Unit

3733

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael B. Priddy.

(3) Eduardo Robert.

(2) David Gordon.

(4) _____.

Date of Interview: 25 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: US 5,980,559 to Bonutti and US 6,773,436 to Donnelly et al..

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

EDUARDO C. ROBERT
SUPERVISOR, PATENT EXAMINER

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant contacted Supervisor Robert to point out the rejection of claims 1-3, 5-8 and 10-21 mailed 06/01/2007 was improper because neither Bonutti nor Donnelly et al. teach or fairly suggest the limitations of claim 1. Upon further consideration, Mr. Robert indicated that the rejection mailed June 1, 2007 did not read on independent claim 1 and a Notice of Allowance would be issued allowing all claims pending in the application.